

REMARKS

The claims are claims 19 and 20.

Claims 19 and 20 were rejected under 35 U.S.C. 102(e) as anticipated by Liu et al. U.S. Patent Application Publication No. 2004/0064809.

Claim 19 recites subject matter not anticipated by Liu et al. Claim 19 recites that the step of linking the object file includes "providing intermediate code to be optimized." The FINAL REJECTION cites block 432 of Figure 4C of Liu et al as anticipating this subject matter. Block 432 of Liu et al is mentioned only in paragraph [0059] which states:

"[0059] Next, in block 432, the compiler 106 performs any optimizations that are available in view of the information provided by the linker 108, i.e. recorded in the linker global symbol table 130. The nature of the optimizations depend upon the determinations that have been made by the linker 108 in the foregoing. Each type of optimization is described below."

This portion of Liu et al states that "compiler 106 performs any optimizations that are available in view of the information provided by the linker 108." This does not state that the linker provides intermediate code to be optimized but refers to data provided by the linker to enable the optimization. Accordingly, claim 19 is allowable over Liu et al.

Claim 20 recites subject matter not anticipated by Liu et al. Claim 20 recites that the step of providing intermediate code to be optimized "provides only portions of the intermediate code." The FINAL REJECTION cites blocks 308 and 312 of Figure 4, paragraph [0049], block 432 of Figure 4C and block 506 of Figure 5 of Liu et al as anticipating this subject matter. Paragraph [0049] of Liu et al includes the only mention of reference numbers 308 and 312. Paragraph [0049] of Liu et al states:

"[0049] Next, with reference to block 308, the linker 108 returns the intermediate objects to the compiler 106, and, as indicated in block 310, feedback is provided to the compiler via the feedback plug-in 110, the feedback comprising at least part of the information gleaned by the linker during the analysis conducted in block 306. Once this feedback has been provided to the compiler 106, the compiler completes the translation of the intermediate objects to generate real objects, as indicated in block 312. At this point, the real objects are linked together by the linker 108 to produce an executable program, as indicated in block 314."

This portion of Liu et al includes no mention of providing only portions of the intermediate code to be optimized. This portion of Liu et al states "the linker 108 returns the intermediate objects to the compiler 106." This language is unconditional and does not limit the provided intermediate code to only portions as recited in claim 20. Paragraph [0059] (quoted above) recites that compiler 106 performs the optimization. Paragraph [0059] includes no teaching regarding intermediate code provided to the compiler by the linker nor that this provided intermediate code includes only portions of the intermediate code. The only mention of block 506 in Liu et al is in paragraph [0070]. Paragraph [0070] of Liu et al states:

"[0070] A program optimization method is summarized in the flow diagram 500 of FIG. 5. As indicated in this figure, an optimization method comprises analyzing a program to gather information regarding one or more of (a) global variables used in the program, and (b) a call to a function of the program (502). A next step comprises providing the information to a compiler (504). A further step then comprises compiling the program with the compiler in view of the gathered information so as to optimize the program (506)."

Paragraph [0070] includes no teaching regarding intermediate code provided to the compiler by the linker nor that this provided intermediate code includes only portions of the intermediate code.

Accordingly, claim 20 is allowable over Liu et al.

The Applicants respectfully request entry and consideration of this amendment. Entry of this amendment is proper at this time because the amendment does not change any current claim. Thus no new search or reconsideration is required.

The Applicants respectfully submit that all the present claims are allowable for the reasons set forth above. Therefore early entry of this amendment, reconsideration and advance to issue are respectfully requested.

If the Examiner has any questions or other correspondence regarding this application, Applicants request that the Examiner contact Applicants' attorney at the below listed telephone number and address to facilitate prosecution.

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Respectfully submitted,

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